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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/550,964	09/26/2005	Junbiao Zhang	PU030103	6118
24498	7590	01/22/2009	EXAMINER	
Robert D. Shedd Thomson Licensing LLC PO Box 5312 PRINCETON, NJ 08543-5312			MITCHELL, NATHAN A	
ART UNIT		PAPER NUMBER		
2617		PAPER		
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/550,964	<b>Applicant(s)</b> ZHANG ET AL.
	<b>Examiner</b> NATHAN MITCHELL	<b>Art Unit</b> 2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If no period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### **Status**

1) Responsive to communication(s) filed on 16 October 2008.

2a) This action is FINAL.      2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### **Disposition of Claims**

4) Claim(s) 1-19 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) 6,7,9-11 and 13-19 is/are allowed.

6) Claim(s) 1,4 and 5 is/are rejected.

7) Claim(s) 2 and 3 is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### **Application Papers**

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### **Priority under 35 U.S.C. § 119**

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### **Attachment(s)**

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_

5) Notice of Informal Patent Application

6) Other: \_\_\_\_\_

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over 2004/0203771 A1 to Chang et al in view of 2008/0119184 A1 to Rebo et al.

For claim 1, Chang et al. disclose a communication system comprising:

A gateway (50) connected to a wired network (see fig. 1 and paragraph 23)  
A plurality of access points associated with and controlled by the gateway (20a/20p)  
wherein each access point is configured to wireless communicate with and receive  
association requests from wireless clients for connection to the wired network through  
the access point (300) to send session information requests to the gateway in response

to received association requests (302) and to process session information setting commands received from gateway (304)

wherein the gateway is configured to maintain session information that exists for each wireless client connected to the wired network through an access point associated with the gateway (302/304 and see abstract) and to respond to a session information request from a given access point by providing that access point with currently existing session information if any maintained by the gateway for the wireless client requesting association with the access point (304).

For claim 1, Chang discloses all the subject matter of the claimed invention except the session information including a session key. In an analogous art, Rebo et al. disclose session information including a session key being distributed to access points. It would have been obvious to one of ordinary skill in the art at the time of invention to combine this teaching with the invention as modified by incorporating the security teachings of Rebo but instead distributing the session information through a central gateway (Chang) rather than a distributed manner. The motivation for the combination is the use of a known technique to improve a similar system in the same way.

6. Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chang et al. in view of Rebo as applied to claim 1 and further in view of U.S. Patent Application Publication No. 2002/0046179 A1 to Kokudo.

Regarding claims 4 and 5, with Chang et al. it is not clear that this extends to traffic between the access point and gateway. However Kokudo does teach encryption being used in communication between an access point and a gateway

(paragraph 32 lines 5-6 “encrypted gateway” implies communications between access point and gateway are encrypted). Thus it would have been obvious to one of ordinary skill in the art at the time of invention to encrypt transmissions between the access point and gateway. The motivation for doing this is to secure communications.

***Response to Arguments***

4. Examiner acknowledges claims 18 and 19, which would have been allowed pursuant to the previous action since they depend on previously allowed claims. Claim 12 is also acknowledged as cancelled.

5. Applicant argues that the DLR 50 does not control the access points at all. The examiner disagrees. As can be seen in the abstract, the DLR provides the session information of a terminal to an access node. This session information is what the access node uses to provide service to the mobile terminal, thus the receipt of the session information is in fact controlling the AN. Even assuming for the sake of argument that this interpretation is unreasonable, it is well known to integrate a base station manager into a gateway node (2002/0137518). Chang already disclose the DLR can be in the GAN (paragraph 23). There is no reason the BSM (which applicant says performs the function of controlling base stations) couldn't be integrated into the GAN.

***Allowable Subject Matter***

6. Claims 6, 7, 9, 10, 11, 13-19 are allowed. Claims 2 and 3 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NATHAN MITCHELL whose telephone number is (571)270-3117. The examiner can normally be reached on M-F 8:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on (571)272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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1/22/2009

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